

Title 97 - Board of Educational Lands and Funds
Chapter 1 - GENERAL

001 Introduction. The Board of Educational Lands and Funds is established by Article VII, Section 6 of the Nebraska Constitution and vested with the general management of all lands owned by the State of Nebraska and set apart in Trust for educational purposes. In the course of its management and the exercise of its powers, as Trustee, the guiding rule and principle of this Board is that such lands are held in Trust for support of the common schools and it is the duty of the Board so to administer this Trust as to secure the largest measure of legitimate and reasonable advantage to the School Trust.

002 Scope and Application. These rules and regulations shall be interpreted to supplement and augment applicable provisions of the Enabling Act of Congress and Nebraska Constitution, decisions of the Nebraska Supreme Court, and applicable laws.

003 Informal Procedures. Matters which may be acted upon without a hearing or other formal proceedings may be handled through correspondence or communication with the Executive Secretary and members of the Executive Secretary's staff.

004 Correspondence. All correspondence, payments, formal filings and other materials are to be delivered to the Board of Educational Lands and Funds at 555 North Cotner Boulevard, Lincoln, Nebraska 68505. No item delivered or mailed to the Board's fieldmen, or elsewhere, shall be deemed received by the Board until such time, if any, as it actually arrives at the Board's office.

005 Office. The Office of the Board of Educational Lands and Funds is located at 555 North Cotner Boulevard, Lincoln, Nebraska 68505. Office hours are from 8:00 a.m. to 5:00 p.m. local time, Monday through Friday, excepting legal holidays.

006 Rules - Copies. Copies of these rules and regulations will be available for public distribution at the Board's office for a fee to be determined by the Board.

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FILED

JAN 27 1988

Allen J. Beermann
Secretary of State

APPROVED:
Date *1-26-88*

Gay A. Orr
Governor

APPROVED
ROBERT M. SPIRE
ATTORNEY GENERAL

DEC 17 1987
Signe Martin Price
BY
Assistant Attorney General

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007 Forms - Copies. Copies of any forms required by these rules and regulations to be used will be made available upon request.

008 Appearances before the Board.

008.01 A lessee or other interested party may request an appearance before the Board at their regular monthly meetings to state a request or grievance.

008.02 Request for such appearances shall be filed with the Executive Secretary 10 days prior to the next Board meeting. The time limitation may be waived if in the opinion of the Executive Secretary there exists an element of urgency for Board consideration of the request.

008.03 Upon receipt of a request for an appearance the Executive Secretary shall provide a time for a hearing on the next regular agenda. The individual will then be notified by mail of the time and date of his scheduled appearance. However, if the time limitation has been waived, notification of the individual will suffice if the party is informed by telephone or in person.

008.04 The party requesting the appearance may either represent himself or be represented by another person having appropriate authority to represent the requesting party.

008.05 Prior to the individual appearing before the Board, the Executive Secretary or his appointed representative will inform the Board of the facts concerning the individual's appearance and state the staff's position concerning the grievance or request. The requesting party will then be given an opportunity to state his position and request. The staff and/or the requesting party may produce information in the form of documents or oral testimony concerning the issue before the Board.

008.06 Prior to issuing a determination the Board may adjourn in Executive Session. However, any decision affecting the requesting party must be made by motion in open session. Should the Board feel that additional time is needed to render a determination, they may

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postpone action until the following Board meeting or until such time as adequate information is available to make a decision.

008.07 The requesting party will be notified of the Board's action either while present in open session or by mail. Should either the requesting party or the Board desire a formal record of the appearance, the party desiring the formal record may utilize a reporting service at the expense of the party so requesting.

008.08 The Board in its own discretion may place a time limit on the presentation of arguments.

Chapter 1(001 - 008.08) - Sec. 72-201 Nebr. Rev. Stat.